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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Takuya TSUKAGOSHI et al.

Group Art Unit: 2872

Application No.: 10/577,245

Examiner: F. ASSAF

Filed: April 26, 2006

Docket No.: 127848

For: MULTILAYER HOLOGRAPHIC RECORDING MEDIUM AND MANUFACTURING METHOD OF THE SAME, MULTILAYER HOLOGRAPHIC RECORDING AND REPRODUCING METHOD, MULTILAYER HOLOGRAPHIC MEMORY REPRODUCING APPARATUS, AND MULTILAYER HOLOGRAPHIC RECORDING AND REPRODUCING APPARATUS,...

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

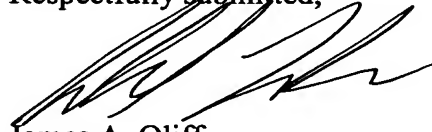
In reply to the June 13, 2008 Election of Species Requirement, Applicants provisionally elect Species I, Figures 1-3, with traverse. Applicants assert that claims 1, 2, 5, 10, 11 and 13 read on the elected Species, and that at least claim 1 is generic to all species.

It is respectfully submitted that the subject matter of all species is sufficiently related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid

unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Election of Species Requirement is respectfully requested.

Respectfully submitted,



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Date: July 9, 2008

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